

1953

NEW HAMPSHIRE LAW LIBRARY

Feb. 17

SEP 03 1998

Mr. Vernon G. Harvey
Selectman, Town of New Hampton
New Hampshire

CONCORD, N.H.

Dear Sir:

This will acknowledge your letter of February 10, 1953 relative to placing an article in the warrant on the beano question, and further article authorizing selectmen to dispose of real estate acquired by tax collector's deed.

Revised Laws, chapter 171-A as inserted by chapter 292 of the Laws of 1949 and as amended by chapter 153 of the Laws of 1951 provides that in towns, upon written application of ten or more voters, the question relative to beano shall be submitted to the voters at the annual town meeting. Provided, therefore, that the requisite number of voters have petitioned, this question should appear on the official ballot.

I feel that inasmuch as the town warrant indicates to the voters the matter to be acted upon at the town meeting an appropriate article should be placed in the warrant as well as placing the question on the official ballot. This is especially true since now the question appears only upon petition of the voters in the town.

Relative to your second question, Laws of 1947, chapter 269, section 2 has added the following new section to chapter 80 of the Revised Laws:

"32-a. Transfer of Lien; Sale of Property. No transfer of any tax lien upon real estate acquired by a town or city at a tax collector's sale for non-payment of taxes thereon shall be made to any person by the municipality during the two-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption from a tax sale be conveyed to any person unless the town, by majority vote at the annual meeting, or a city council by vote, shall authorize the selectmen or the mayor to transfer such lien or to convey such property by deed under such conditions as may be specified by the town meeting or city council. Such authority to transfer or to sell shall continue in effect for one year from the date of the town meeting or action by the city council unless otherwise provided."

Mr. Vernon C. Harvey

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February 17, 1953

In view of this new section it is my opinion that there is no method whereby selectmen may be authorized for more than a year to convey property acquired by tax deeds.

Very truly yours,

Henry Dowst, Jr.,
Assistant Attorney General

HD:RCI

NEW HAMPSHIRE

February 10, 1953

Office of
Attorney General
Concord, N.H.

Gentlemen: I wish to ask two questions in regard to articles in our Town Meeting Warrant.

Inasmuch as there is a place provided to vote for Beano on our official ballot is it necessary to include the following article in our annual warrant?

Shall the provisions of Chapter 171-A of the revised laws relative to games of Beano be adopted in this Town?

If these questions are answered on the same sheet or on back it would be convenient for our files. Many thanks.

I remain, sincerely,
Vernon C. Harvey, Selectman of New Hampton

Vernon C. Harvey

*no. if 10
orders at town meeting
on 2nd Feb 1953*